

REMARKS

In the Office Action claims 1-7 are pending. Claims 1-7 have been rejected. Claims 2 and 4 are objected to. By way of this response, applicant has amended claims 1-2 and 5-7, added no claims, and cancelled claims 3-4. As such, claims 1-2 and 5-6 are currently pending. Applicant respectfully requests reconsideration of the present application and the allowance of all claims are presented.

I. Interview Summary

A telephonic interview was conducted on February 9, 2009. The participant's included Examiner Sunil Chacko and Supervisor Mark Zimmerman and applicant's representative Matthew W. Hindman. Applicant's amendments to the independent claims were discussed in relation to the 35 U.S.C § 103 rejections over Shiraishi (U.S. Patent 6,999,200 B2) in view of Edamitsu et al. (U.S. Patent 6,729,239 B2). No particular agreement was reached.

II. Abstract Objection

The Abstract has been amended to comply with the format set out in the MPEP § 608.01 (b). As a result, applicant respectfully requests withdrawal of the objection.

II. Claim Objections

Applicant has cancelled claim 4. Applicant understands the objection to claim 2 will be withdrawn because the Examiner stated in the interview that this objection was improperly applied.

III. Claim Rejections – 35 U.S.C. §112

Claims 3 and 4 have been cancelled.

IV. Claim Rejections – 35 U.S.C. §101

Claims 5-7 are rejected due to the fact that a *computer program* is not one of the Statutory Categories. Applicant has amended claims 5-7 and respectfully requests reconsideration and withdrawal of the claim rejections.

V. Claim Rejections – 35 U.S.C. §103

Claims 1-4 are rejected under U.S.C. 103(a) as being unpatentable over Shiraishi (U.S. Patent 6,999,200 B2) in view of Edamitsu et al. (U.S. Patent 6,729,239 B2).

Independent claim 1

Applicant has amended claim 1 and respectfully requests reconsideration and withdrawal of the claim rejection. Applicant submits that the cited combination of Shiraishi and Edamitsu fails to teach or suggest at least the following bolded limitation recited in claim 1 as amended:

adjusting one or more of the position and the shape of the print image without performing mechanical position or shape correction in the printing device
including correcting at least one image type data constituting at least one of the plurality of print images in terms of elongation or contraction in the direction in which the printing medium is to be elongated or contracted, by changing the position of the image type data and the shape of the image type data on the basis of the corresponding position data and the deformation information of the previously printed print image;

Applicant submits that support for the claim amendments can be found in applicant's specification at abstract, and paragraphs [0019] and [0041]. Applicant respectfully submits the cited references do not teach or suggest the above emphasized limitation, either individually or in combination.

Although applicant's arguments here are directed to the cited combination of references, it is necessary to consider their individual disclosures in order to ascertain what combination, if any, could be made from them. Shiraishi teaches an image processor with a feedback mechanism for carrying out color conversion of image data to be printed in a printing press. See Shiraishi, abstract and Fig. 1. In

brief, Shiraishi determines a color-reproduction profile of a printing press based on scanning the prints output from the printing press, and feeds this color-reproduction profile information back into an image processing device so that subsequently created binary image data will include the correct colors based on the profile of the printing press device. The prints output from the printing press are scanned using an image pickup device and color-reproduction profile information of the printing press device is determined based on the scanned prints. The color-reproduction information is fed back into an image data processing device A. The image data processing device then takes this profile information and uses it when creating the binary image data (db) to be input into the printing plate recording device B for creating printing plates with the proper color profile. See id.

Edamitsu teaches a printing device for matching the positions of a previously printed image with a subsequently printed image by scanning the previously printed image to determine a quantity of displacement, and feeding this displacement data back into a control 17 of the printing device for mechanical position correction inside the printing device. See e.g., Edamitsu, col. 2, lines 5-8. The printing device reads an image output from the printing device using an image pickup part 16 and measures (calculates) the quantity of displacement of the printed image. Id. at col. 4, line 66-col. 5, line 4. The calculated displacement is stored in a storage means as dimensional correction data and can be used at the time of subsequent printing operations. Id. at col. 13, lines 44-47. The dimensional correction data is fed back into a control part 17 of the printing device to perform mechanical position correction of the print image in the printing device. See id. at col. 9, lines 10-13 and col. 12, lines 43-49. The mechanical position control corrects the image starting position (FIG. 7A, col. 12, lines 35-36) and corrects the dimensions of the image (FIG. 7B, col. 12, lines 36-37). The mechanical correction is accomplished by correcting the rotational speed of the plate cylinders. See id. at col. 9, lines 62-67 and col. 13, lines 26-33.

Thus, Shiraishi teaches an image processor with a feedback mechanism for carrying out color conversion of image data to be printed in a printing press, but is silent on correcting deformation or displacement in the print image. Edamitsu teaches correcting deformation or displacement in the print image using a printing device, but does so with a feedback mechanism that controls mechanical deformation and/or displacement correction by correcting the rotational speed of the plate cylinders.

Applicant respectfully submits, therefore, that the cited combination fails to teach or suggest the amended limitation emphasized above. Claim 1 now specifically recites, "adjusting one or more of the position and the shape of the print image without performing mechanical position or shape correction in the printing device."

The Examiner rightly acknowledges that Shiraishi remains silent on correcting deformation and/or displacement in the print image. Office Action, p. 7. In addition, applicant submits that Edamitsu fails to teach or suggest the limitation emphasized above because Edamitsu teaches performing mechanical deformation and/or displacement correction of the print image. In fact, Edamitsu expressly teaches away from applicant's amended limitation emphasized above because applicant is claiming adjusting the position or shape of the print image without performing mechanical position or shape correction and Edamitsu requires mechanical correction. The combination of Shiraishi and Edamitsu, therefore, at most teaches a feedback mechanism that requires a mechanical correction mechanism for correcting deformation and/or displacement in print images, which is not what applicant is claiming with amended claim 1.

Moreover, there is nothing in Edamitsu that teaches or suggests adjusting the shape of the print image as claimed. As a result, applicant respectfully believes the cited combination of Shiraishi and Edamitsu fails to teach or suggest each limitation recited in applicant's claim 1 as amended. Thus, applicant respectfully submits that a *prima facie* case of obviousness cannot be established in light of applicant's amendments to claim 1. Therefore, reconsideration and withdrawal of the claim rejection is respectfully requested.

Independent claims 5, 6 and 7

Applicant has amended claims 5, 6 and 7 and respectfully requests reconsideration and withdrawal of the claim rejections. Claims 5-7 now include subject matter similar to that recited in independent claim 1, and therefore, are thought to be patentable over the cited art references for at least reasons similar to those discussed above.

CONCLUSION

Applicant respectfully submits that all rejections have been overcome by the remarks and amendments and that all pending claims are in condition for allowance. Accordingly, applicant respectfully requests reconsideration and allowance of all claims now presented.

Invitation for a telephone interview

If a telephone conference would facilitate the prosecution of this application, Examiner is invited to contact Matt Hindman at (650) 838-4349. If there are any additional charges, please charge them to our Deposit Account Number No. 50-2207.

Respectfully submitted,

Dated:

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By

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